

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 10, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER HUMPHREY WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: Scott Brown, Clermont County Board of Developmental Disabilities, addressed the Board of County Commissioners in regards to the upcoming replacement tax levy in the amount of 0.90 mills on the May 4th ballot, asking for the community’s support for the funding of various services/programs for the residents and/or families of Clermont County. Mr. Brown also introduced Judy Johnson and her mother Arline Johnson. Judy has been receiving benefits for over 10 years, and gave testimony as to the value of this program. (DC# 10-0202-001)

IN RE: **BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 39-10/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **39-10** resolving to approve payment to vendors listed on the General Ledger Distribution Report(s) presented by the County Auditor **03/08/10 in the revised total amount of \$4,414,121.97** and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: **OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...
ELECTRONIC SUBSCRIPTION RENEWALS FOR SOFTWARE
UPDATES FOR SAME...09-1209-007...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to approve electronic subscription renewals for the provision of software updates at the not to exceed estimated rates and the terms outlined below and as set forth in the electronic subscription renewals, all of which are on file in the Office of Technology, Communications and Security, and to authorize the County Auditor to remit payment therefore:

Vendor	Software	Not to Exceed Estimated Rate	Term
Information Systems Division			
Insight Public Sector P. O. Box 713096 Columbus, Ohio 43271-3096	Symantec Antivirus Protection Suite Enterprise Edition (previously approved on 01/06/10 and known as Symantec Antivirus Enterprise Edition & Mail Security for SMTP Gateway & Mail Security for Exchange)	\$24,390.00	03/04/10 through 03/03/13
SolarWinds	SolarWinds Engineer’s Toolset	\$790.00	04/01/10

P.O. Box 730720 Dallas, Texas 75373-0720			through 04/01/11
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...
AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT
WITH MICHAEL SCHUSTER ASSOCIATES INC., DBA MSA
ARCHITECTS, AS IT RELATES TO PHASE II OF THE CLERMONT
COUNTY COMMUNICATIONS CENTER BUILDING EXPANSION AND
REMODEL PROJECT FOR SAME...07-0712-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to execute an Amendment to the Professional Services Contract by and between the County of Clermont, Ohio, and Michael Schuster Associates Inc., dba MSA Architects, 316 West Fourth Street, Cincinnati, Ohio 45202, previously ratified by the Board of County Commissioners on 05/06/08 and subsequently, amended on 09/16/09, for the provision of architectural services relative to the Clermont County Communications Center Building Expansion and Remodel Project located at 2279 Clermont Center Drive, Batavia, Ohio 45103, in and as it relates to Phase II – Final Design and Construction Management, which represent an increase in the amount of \$17,997.12, for a total adjusted contract price of \$232,832.12, for additional services identified in Exhibit A attached thereto and made a part thereof, as well as, an extension of time of ninety-six (96) consecutive calendar days, for a revised contract completion date of 06/15/10, with all other terms and conditions of the original contract and amendment to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: CLERMONT TRANSPORTATION CONNECTION/FLEET
MAINTENANCE DIVISION...REQUEST TO ADVERTISE FOR BIDS
FOR THE PURCHASE OF CONSIGNED REPAIR PARTS TO BE USED
FOR MAINTENANCE AND REPAIR OF COUNTY VEHICLES FOR
SAME...10-0224-003...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ben Capelle, Director, Clermont Transportation Connection/Fleet Maintenance Division, with the concurrence of David L. Spinney, County Administrator, to approve the request to advertise for bids for the purchase of Consigned Repair Parts to be used for maintenance and repair of county vehicles by the Fleet Maintenance Division and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 03/18/10, with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 04/01/10**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County’s internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
GRANT OF WATER EASEMENT WITH RIGHT OF RE-ENTRY FOR
REPAIR AND REPLACEMENT HERETOFORE GRANTED AND
CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR A WATER
PROJECT LOCATED IN UNION TOWNSHIP...10-0226-
001...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to accept the following Grant of Water Easement with Right of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing, or reinstalling water utility lines and all incidental appurtenances required for the transportation of water in, on, under, and across the property of the Grantor for a water project located in Union Township, and to authorize the County Auditor to remit payment to the Grantor in the amounts as outlined below and as indicated on the Settlement Sheet attached thereto, as compensation for the Permanent Easement and Right-of-Way granted thereby and Repairs relative thereto, and further to remit payment in the amount of \$28.00 payable to J. Robert True, Clermont County Treasurer, for the recording fees required relative thereto:

Grantor	Parcel Number	Compensation
Frieda Petty aka/ Mary F. Petty 3947 Farrow Drive Cincinnati, Ohio 45245	41-32-19.-089	Perm \$2,040.00 Repairs \$2,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF TUITION
ASSISTANCE APPLICATIONS FROM CLERMONT COUNTY
EMPLOYEES...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute Tuition Assistance Applications submitted by the following employees for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name
County Sheriff Jessica Wilson DC# 09-0624-004	First Responder Effective Public Speaking
County Sheriff Lisa Allen DC# 10-0225-002	English Composition II

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...
PROFESSIONAL SERVICES AGREEMENT WITH THE BOARD OF**

HEALTH OF THE CLERMONT COUNTY GENERAL HEALTH DISTRICT FOR ADMINISTRATION OF THE SEPTIC SYSTEM REHABILITATION FINANCING PROGRAM IN CONCERT WITH THE CLERMONT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2009...10-0226-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute a Professional Services Agreement by and between the Board of Clermont County Commissioners and the Board of Health of the Clermont County General Health District, 2275 Bauer Road, Batavia, Ohio 45103 to administer the Septic System Rehabilitation Financing Program, in concert with the Clermont County Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2009, which was funded in the amount of \$150,000.00, with compensation for the administration therefore not to exceed \$5,000.00, effective 03/01/10 through 12/31/10, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: OFFICE OF MANAGEMENT AND BUDGET...SOFTWARE SUBSCRIPTION SERVICE AGREEMENT WITH KVS INFORMATION SYSTEMS, INC. FOR SAME...10-0305-004...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Software Subscription Service Agreement by and between the County of Clermont, Ohio, and KVS Information Systems, Inc., 821 Maple Road, Williamsville, New York 14221-3299 for software subscription support services as outlined therein, for a total cost not to exceed \$5,908.00, effective 4/11/10 through 4/10/11, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 3 TO THE CONTRACT WITH OKIND, INC., DBA SILVERHAWKE CONSTRUCTION FOR PROJECT NUMBER BA-17-05 RELATIVE TO THE OLD SR 32 AT BAUER ROAD ROADWAY IMPROVEMENTS LOCATED IN BATAVIA TOWNSHIP...08-0522-006...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 3 to the Contract with Okind, Inc., dba SilverHawke Construction, 8657 N. Gilmore Road, Fairfield, Ohio 45014, previously ratified by the Board on 08/06/08 and subsequently amended on 11/10/08 and 02/11/09, for Project Number BA-17-05 relative to the Old SR 32 at Bauer Road Roadway Improvements

Project located in Batavia Township which represents an increase in the amount of \$40,716.21, for a total adjusted contract price to date of \$652,212.80 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF RE-APPOINTMENTS TO SERVE ON THE CLERMONT COUNTY PLANNING COMMISSION...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to re-appoint the following individuals to serve on the Clermont County Planning Commission for the terms outlined below, pursuant to Section 713.22 of the Ohio Revised Code:

Name/Address	Term
Dwayne Boso 4614 Hallandale Drive Batavia, Ohio 45103 DC# 08-0515-004	03/31/10 through 03/30/13 (First Full Three Year Term Appointment)
Natalie J. Fiscus 4242 All Star Drive Batavia, Ohio 45103 DC# 09-1103-004	03/31/10 through 03/30/13 (First Full Three Year Term Appointment)
James E. Thaxton 6 Wallace Grove Lane Milford, Ohio 45150 DC# 09-1103-003	03/31/10 through 03/30/13 (City of Milford Designee) (First Full Three Year Term Appointment)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF APPOINTMENT TO THE CLERMONT COUNTY CONVENTION AND VISITORS BUREAU, INC. BOARD OF TRUSTEES...10-0305-002...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to appoint Natu Bhakta, 4004 Williams Drive, Cincinnati, Ohio 45255 to serve on the Clermont County Convention and Visitors Bureau, Inc. Board of Trustees for the term of 03/10/10 through 08/31/13, filling the unexpired term of Patricia McCaw and subsequent appointment of a full three year term thereafter.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...AMENDMENT NO. 1 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH FOCUSED CAPITOL SOLUTIONS, LLC FOR THE PROVISION OF CONSULTING SERVICES IN AND AS IT RELATES TO EXISTING AND PROPOSED

**LEGISLATION, RULES AND REGULATIONS AND THE IMPACT
THEREOF ON CLERMONT COUNTY, OHIO...08-1218-
006...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute Amendment No. 1 to the Contract for Professional Services by and between the Board of Clermont County Commissioners and Focused Capitol Solutions, LLC, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202 for the provision of consulting services to (1) keep officials informed of legislation, rules and regulations affecting counties, (2) to assist in the preparation for the impact of bills voted into law, and (3) to facilitate information exchange between the county, state legislature and state agencies relative to the issues faced by the county and the impact of proposed legislation and regulations on Clermont County, Ohio, previously ratified by the Board of County Commissioners on 01/07/09, to reduce the monthly invoice amount for the afore stated services from \$1,000.00 per month to \$750.00 per month, effective 01/01/10 through 12/31/10, which represents a decrease in the amount of \$3,000.00, for a revised contract amount of \$21,000.00 for the contract period of 01/01/09 through 12/31/10, with all other terms and conditions of the original Contract to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2010...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2010 (Resolution Number 211-09) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

BUDGET TRANSFER OF FUNDS:

AMOUNT	FROM	TO
\$ 159,989.00	Child Support Enforcement Administration Fund 228-6180-7000	Child Support Enforcement Administration Fund 228-6180-6600

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILD SUPPORT
ENFORCEMENT DIVISION...CONTRACT FOR PROFESSIONAL
SERVICES WITH COURTVIEW JUSTICE SOLUTIONS, INC. FOR THE
PROVISION OF SERVICES FOR SAME...10-0309-001...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Interim Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and CourtView Justice Solutions, Inc., 5399 Lauby Road, Suite 200, North Canton, Ohio 44720, Remittance Address:

P. O. Box 202522, Dallas, Texas 75320-2522, for the purpose of providing enhancements to the CourtView Case Management System (CMS) Application in use in Clermont County Juvenile Court, in accordance with the Statement of Work identified as Exhibit A attached thereto and made a part thereof, which will include new data elements that are essential to increase the automation options available to the SETS application in use by the Clermont County Department of Job and Family Services/Child Support Enforcement Division and to provide a series of newly written reports that are designed to furnish the Clermont County Department of Job and Family Services/Child Support Enforcement Division with information that is assembled from the Clermont County Juvenile Court's Case Management System (CMS), for a total estimated amount not to exceed \$159,989.00, as outlined in the Cost Proposal therefore, effective 03/10/10 and for a period not to exceed twelve (12) months therefrom, pursuant to and in compliance with the terms and conditions set forth therein and contingent upon the issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud , to approve the minutes of Work Session of **02/08/10** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: A MOTION BY MR. CROSWELL, SECONDED BY MR. PROUD, TO GO INTO EXECUTIVE SESSION AT 1:48 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LEGAL MATTERS, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 2:13 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud , to approve the minutes of Regular Session of **03/10/10** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:13 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

COMMISSIONERS' JOURNAL #305 CLERMONT COUNTY REGULAR SESSION 03/10/10

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 03/10/10